

TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: David Quigley, Planning and Zoning Manager/954 797-1075

PREPARED BY: Sandy Saikley, Office Supervisor

SUBJECT: Business Tax Receipt

AFFECTED DISTRICT: 3

ITEM REQUEST: Schedule for Council Meeting

TITLE OF AGENDA ITEM: Wallace Air Conditioning Service, 11700 SW 49 Place

REPORT IN BRIEF: Per Land Development Code 12-34 (N) Home occupations (Business Tax) are permitted for telephone and mail communication only and are subject to the regulations contained in the Town Code. In the AG, A-1 and R-1 districts, Town Council approval is required. On 08/03/09 a site inspection was done and the property was found in compliance with no outside storage or signs per Town Code.

PREVIOUS ACTIONS: n/a

CONCURRENCES: n/a

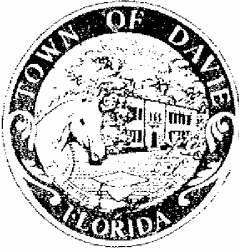
FISCAL IMPACT: not applicable

Has request been budgeted? n/a

Additional Comments:

RECOMMENDATION(S): Other - Staff finds application complete and suitable for transmittal to Town Council.

Attachment(s): Business Tax Receipt application, Letter of Intent.



TOWN OF DAVIE
BUSINESS TAX RECEIPT

6591 ORANGE DRIVE • DAVIE, FLORIDA 33314-3399
PHONE: 954.797.1112 • FAX: 954.797.1204 • WWW.DAVIE-FL.GOV

HOME BUSINESS TAX RECEIPT APPLICATION

APPLICANTS: COMPLETE BOTH SIDE OF APPLICATION

BUSINESS NAME: Wallace Air Conditioning Service, Inc.

CORPORATION NAME: Wallace Air Conditioning Service, Inc.

BUSINESS ADDRESS: 11200 SW 49 PLACE ZIP: 33330

BUSINESS MAILING: 11200 SW 49 PLACE ZIP: 33330

BUSINESS PHONE: 954-434-9966 CELL: 954-295-3445

DESCRIBE TYPE OF BUSINESS: HVAC Service

BUSINESS IS: CORPORATION ☒ SOLE PROPRIETOR ☐ PARTNERSHIP ☐ LLC ☐

OWNER/OFFICER (S)	HOME ADDRESS	CITY/ZIP	PHONE
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1. <u>Russell K Wallace</u>	<u>11200 SW 49 Place</u>	<u>Davie, FL 33330</u>	<u>954-434-9966</u>
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2. _____	_____	_____	_____
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FEDERAL ID NUMBER 65-0478522 OR SOCIAL SECURITY _____

I understand this is an application for a Business Tax Receipt in the Town of Davie. Until I have received the Business Tax Receipt, I will not conduct any business at this location. The Business Tax, upon receipt, is valid until September 30, _____ and must be renewed before each October 1st.

RD
Initial

This application for Business Tax Receipt allows mail and telephone use only, no signs or exterior storage, no on-site employees are permitted.

Russell K Wallace Owner/President
Print owner or officer's name and title

[Signature]
Signature of owner or officer

OFFICE USE ONLY:

Date 7/30/09 Category 05805 Fee 50.25 Exempt _____ per Sec 13-3

New ☒ Transfer ☐ Name _____ Address _____ Owner _____ Transferred from _____

Tax Number 0932240 Control Number 21293 Location ID Number _____

Relio _____ Zoning A-1 (County)

Council Approval Required ☒ Yes ☐ No Zoning Approval [Signature] Date 30 July 09

Town Council Date _____ Approved ☐ Denied ☐ Tabled ☐



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HOME BUSINESS TAX RECEIPT APPLICATION

SECTION 12-34 (N)-DEFINITION:

Home Business Tax Receipt shall mean any use conducted entirely within a dwelling and carried on by persons residing in the dwelling unit, which is clearly incidental and secondary to the use of the dwelling for residential purposes and does not change the character thereof and in connection with which there is no display or stock in trade. The Home Business Tax Receipt shall involve phone and mail use only and shall not involve the use of any accessory building or yard space or activity outside of the main building not normally associated with residential use.

SECTION 13-23 - LOCATION OF BUSINESS TAX RECEIPT; ZONING REGULATION

(a) Each application for the Business Tax Receipt shall definitely state and set out the exact location at which business shall be operated. Before issuance of a Business Tax Receipt, verification of applicable zoning will be made. If the applicable zoning regulations do not permit the practice of such business, occupation or profession, the Business Tax Receipt will be denied. All Business Tax Receipts granted by council action by special exception, variance or by vested rights for nonconforming use, shall be so stated on the face of the license.

(b) Notwithstanding any provision to the contrary herein contained, certain businesses, professions or occupations may be conducted within a residentially zoned area (not to include R-1 or A-1, which require council approval) on a restricted basis for which a restricted Business Tax Receipt may be issued by the town. The owner of such business will secure a restricted Business Tax Receipt from the town subject to the provisions and limitations contained herein.

(c) Any person engaged in a personal profession or occupation which requires the use of his own personal residence may apply for a restricted Business Tax Receipt. Such application may list his home address as the place of business for the purpose of complying with the following conditions.

(1) No sign of any type may be posted or displayed on the premises which might serve to indicate that the premises are being used as a restricted home business use, except as required in accordance with all governmental bodies. No vehicles with any signs painted on them, which might serve to indicate that the premises are being used for restricted Business Tax Receipt use, shall be parked within the view of public right-of-way.

(2) The applicant shall not use the premises or any improvements thereon for the creation, storage, distribution, repair or sale of any of any merchandise or goods which would be visible from any location off the premises.

(3) No noise, odors, smoke or nuisance of any type shall arise from the conduct of the business here permitted or authorized.

(4) The applicant shall not cause or permit in connection with the business authorized herein any traffic that shall interfere or disrupt the flow for street use in the neighborhood.

(5) Any restricted Business Tax Receipt issued pursuant hereto may be revoked by the town council at any time upon notice and hearing for the violation of any provisions herein contained or for the violation of any ordinance of the town or law of the state pertaining to regulating or tax such business or for any other good and sufficient reason; provided, however, that this provision shall not effect the power of the court to revoke certain tax receipt where such revocation specifically provided for by ordinance. (Code 1964 8-6)

I understand the description of Home Business Tax Receipt as stated in Section 13-23, regarding Home Business Tax Receipt and the definition (12-34 N)


Applicant's Signature

7-30-09

Date



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HOME BUSINESS TAX RECEIPT AFFIDAVIT

Town of Davie, Planning & Zoning, & Business Tax Division,
6591 Orange Drive, Davie, FL 33314

I understand that this is an application for a home business tax receipt in the Town of Davie and I may not conduct any business at this location until I have received the tax receipt document. I further understand that this business tax receipt upon issuance, is valid until September 30, 09, and must be renewed before October 1st.

I understand that as long as I conduct business in the Town of Davie I must keep an active business tax receipt.

This application for home business tax receipt allows mail and telephone use only, no signs or storage, or on-site employees or clients are permitted.

All contractors must provide a copy of a lease at an alternate site for storage of equipment.

I Russell K. Wallace certify that, to the best of my knowledge, all of my statements are true, correct, complete and made in good faith.

Print Owner or Officer's Name and

Title Russell K. Wallace Owner/President

Signature of owner or officer: [Signature] Date: 7-30-09

The foregoing was acknowledged before me this 30 day of JULY 2009
By, RUSSELL WALLACE Who is personally known to me or who has produced

DLW420-731-54-382-0 as identification and whom did/did not take an oath

NOTARY PUBLIC Sandra Soukley

COMMISSION EXPIRES: _____

A FALSE STATEMENT ON ANY PART OF BUSINESS TAX RECEIPT MAYBE GROUND FOR REVOKING SAID DOCUMENT OR SUSPENDING THE RECEIPT AFTER IT HAS BEEN ISSUED.

✓ Residency verified

Wallace Air Conditioning Service, Inc.

11200 S.W. 49th Place
Davie, FL 33330
(954)434-9966 Fax (954)434-9086

July 30, 2009

Town of Davie
Code Compliance Division
1230 South Nob Hill Road
Davie, FL 33324

To Whom It May Concern:

Wallace Air Conditioning Service, Inc. is an air conditioning service contractor providing service at client locations. All repair and/or replacement work is done at the clients site. I am applying for a Town of Davie local tax receipt for the purpose of mail and telephone use only at this residence. Wallace Air Conditioning Service, Inc. has no employees and does not receive or ship materials from this address.

Sincerely,

A handwritten signature in black ink, appearing to read 'RW', with a horizontal line extending to the right.

Russell Wallace
Wallace Air Conditioning Service, Inc.
11200 SW 49th Place
Davie, FL 33330
Phone: 954-434-9966